



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

May 16, 2022

VIA ECF

Hon. P. Kevin Castel  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: *Jin Huan Chen v. Menges*, No. 22 Civ. 2044 (PKC)

Dear Judge Castel:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services ("USCIS") to adjudicate an application for an immigration benefit. On behalf of the government, I write respectfully to request a sixty-day extension of the time to respond to the complaint (*i.e.*, from May 17, 2022, to July 18, 2022).<sup>1</sup> In addition, I respectfully request that the initial pretrial conference presently scheduled for June 16, 2022 be rescheduled to the week of July 25, 2022 or thereafter (with a corresponding extension of time for the preconference submission).<sup>2</sup>

I respectfully request this extension because USCIS recently issued an interview notice relating to the plaintiff's immigration benefit, but the plaintiff indicates that they did not receive it, and USCIS is in the process of rescheduling the interview, which may result in the issuance of a Request for Evidence, Notice of Intent to Deny, or other adjudicatory action that may potentially render this complaint moot. This is the government's first request for an extension of the deadline to respond to the complaint and an adjournment of the initial conference. Plaintiff consents to these requests. I apologize for making this request the day before the government's response to the complaint is due.

*Time to respond  
to the complaint  
extended to  
July 18, 2022.  
Conference adjourned  
from June 16 to  
7/25/22 at 11 a.m.  
SO ORDERED*

*USDJ  
5-17-22*

<sup>1</sup> Given that a sixty-day extension falls on Saturday, July 16, 2022, the deadline would be extended until Monday, July 18, 2022. See Fed. R. Civ. P. 6(a)(1).

<sup>2</sup> Counsel for the government will not be available from August 5, 2022, through August 12, 2022.

I thank the Court for its consideration of this letter.

Respectfully submitted,

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United States Attorney

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cc: Counsel of record (via ECF)